

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

ONIEL RIVERA ,

Plaintiff,

v.

KEVIN C. HERSEY, et al.,

Defendants.

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Civil Action No. 19-cv-10046-ADB

ORDER

BURROUGHS, D.J.

For the reasons set forth below, the Court dismisses this action without prejudice.

On January 7, 2019, *pro se* litigant Oniel Rivera, who is incarcerated at FCI Allenwood in White Deer, Pennsylvania, filed a complaint against certain individuals allegedly involved in a criminal prosecution against him in this Court. *See United States v. Rivera*, Crim. No. 15-10302-GAO (D. Mass.). He filed the action without paying the \$400 filing fee or seeking indigent status. In an order dated January 9, 2019, the Court directed Rivera to pay the fee or file a motion for leave to proceed *in forma pauperis* by January 30, 2019. The Court warned Rivera that failure to comply with the order could result in dismissal of the action.

The deadline for complying with the Court's January 9, 2019 order has passed without any response from Rivera. Accordingly, this action is DISMISSED without prejudice for failure to pay the filing fee.

IT IS SO ORDERED.

Dated: February 12, 2019

/s/ Allison D. Burroughs  
ALLISON D. BURROUGHS  
DISTRICT JUDGE